

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	<b>Criminal Case No. 3:09cr00019-1</b>
	)	
<b>v.</b>	)	<b><u>2255 FINAL ORDER</u></b>
	)	
<b>STACY LAMONT BERRY</b>	)	<b>By: Norman K. Moon</b>
	)	<b>United States District Judge</b>

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Berry's motion pursuant to 28 U.S.C. § 2255 is **DISMISSED**; and this action is **STRICKEN** from the active docket of the court.

Further, finding that Berry has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

The Clerk of the Court is directed to send a certified copy of this order and the accompanying memorandum opinion to petitioner.

**ENTER:** This 14th day of January, 2013.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE